

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOSE LUIS AYALA,

Petitioner,

v.

STEPHEN SMITH, Warden,

Respondent.

Case No. 2:22-06206 ODW (ADS)

ORDER ACCEPTING UNITED STATES
MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus (Dkt. No. 1), Respondent's Answer (Dkt. No. 24), Petitioner's Traverse (Dkt. No. 29), the Report and Recommendation of the United States Magistrate Judge (Dkt. No. 32), Petitioner's Amended Objections to the Report and Recommendation (Dkt. No. 34), and all the records and files herein. The Court has engaged in a *de novo* review of those portions of the Report and Recommendation to which objections were made. The Court overrules the objections and accepts the findings and recommendations of the Magistrate Judge.

1 Accordingly, IT IS HEREBY ORDERED:

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1. The Report and Recommendation is accepted (Dkt. No. 32);
 2. The Petition is denied and this action is dismissed with prejudice (Dkt. No. 1);
 3. The Certificate of Appealability is denied; and
 4. Judgment is to be entered accordingly.



DATED: February 5, 2024

THE HONORABLE OTIS D. WRIGHT, II
United States District Judge